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ABSTRACT

This planning guide is designed to assist those individuals or groups concerned with the removal of children from adult jails, and is intended to provide a methodology for needs assessment and implementation of a flexible network of alternatives at the local community level. The guide includes an overview of the problem and a narrative description of each phase of the planning process, presented in terms of: (1) organizing for planning; (2) assessing needs; (3) obtaining public input; (4) establishing policy and developing a plan; (5) implementing the plan; and (6) monitoring the system. The appendices contain sample juvenile intake and detention surveys, a list of criminal justice agencies offering technical assistance, and a bibliography. (Author/HLM)

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REMOVING CHILDREN FROM ADULT JAILS

A Planner's Guide to Action

Organize for planning

Assess needs

Obtain public input

Establish policy & develop plan

Implement plan

Monitor system

U.S. DEPARTMENT OF HEALTH, EDUCATION & WELFARE
NATIONAL INSTITUTE OF EDUCATION

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The Office of Juvenile Justice and Delinquency Prevention
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Community Research Forum of the University of Illinois, Urbana-Champaign.

PRELIMINARY DRAFT
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COMMUNITY RESEARCH FORUM

PREFACE

Removing Children from Adult Jails: A Planner's Guide to Action is a companion publication to Removing Children from Adult Jails: A Citizen's Guide to Action. Both publications present background material concerning the problem of children in adult jails, the common myths that prevail, national efforts to eliminate the practice, and effective alternatives to its use.

The preparation of companion publications recognizes the important role of citizen as well as official responses to the problem of children in adult jails. The planning guide is intended to provide a methodology for needs assessment and implementation of a flexible network of alternatives at the local level. The citizen's guide provides suggestions to individuals and organizations who wish to participate in efforts to remove children from adult jails. Further, the companion publications are intended to emphasize the importance of official and citizen responses if the problem is to be effectively addressed at the state and local level.

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WHO ARE THE CHILDREN IN JAILS?

It is estimated that 500,000 juveniles a year are held in adult jails and lockups in the United States. The Children's Defense Fund states that even the half-million figure is "grossly understated." Although federal legislation requires the separation by sight and sound of juveniles and adult offenders, they are confined together in many states and local communities. In some places, "sight and sound separation" has resulted in juveniles being placed in solitary confinement for long periods.

Most of the children in jails are confined for property or minor offenses. Eighteen percent are in jails for acts such as running away, or being incorrigible," status offenses, which would not be crimes if committed by adults. A recent study by HEW of 755,000 juvenile runaways shows that many were not seeking adventure but were fleeing emotional, physical, and sexual abuse:

> Larry Dye, director of the Youth Development Bureau of the Department of Health, Education and Welfare, said that a growing number of teen-agers were what the bureau describes as 'throwaways,' young people who are forced out of their homes.
>
> 'We're finding in programs that we're seeing an increase in the number of kids that are being pushed out of their homes, or they leave their homes at 15, 16 years of age by some kind of mutual agreement between the parent and the young person,' Mr. Dye said.
>
> 'When the young are forced out of the homes, we're talking about adolescent abuse, sexual abuse; we're talking about the destruction of the family unit being such that the young people are just told to go out and make it on their own,' he said.
>
> Bill Treanor, director of National Youth Alternatives, a national organization of community-based youth services in Washington, says there is another kind of 'throwaway,' the teen-ager who is forced out of his home for economic reasons.
>
> 'With inflation in general and the housing market in particular, people are living in smaller and smaller units with less and less space, sort of like, just how many little birds can fit in a nest?
>
> Well, somebody gets pushed out and you see this particularly in large cities with minority young people where they just don't fit in the apartment any more; that seems to be an increasing factor of a lot of homeless youth.'

Should these children be exposed to further physical and emotional abuse in adult jails and lockups? Should the government waste money by institutionalizing these children? Since 1974 :

> . . . when Maryland prohibited the locking up of status offenders, communities have reduced their tendency to use the juvenile courts as a dumping ground for truants, runaways and ungovernable youths, according to a recent report. The number of status offenders referred to court has steadily dropped and many more referrals are being closed at court intake. In addition, the state has saved money. The cost

of placing a youngster in a state correctional institution is between a reported $12,000 and $14,000, but a greater number of juveniles are being sent to group homes, which cost $8,200, or placed in foster care at a cost of $2,400.

A 9-state survey by the Children's Defense Fund found that children, including status offenders, frequently "are placed in cells with adults charged with violent crime." They discovered that:

> A 15-year-old girl was confined with a 35-year-old woman jailed for murder.
>
> A 16-year-old boy was confined with a man charged with murder, who raped the boy on three occasions.
>
> A 16-year-old boy, arrested for shoplifting, was confined in a cell with a man charged with shooting another man.
>
> A 16-year-old boy was confined with five men. One was AWOL from the military, one was charged with assault and battery, one was an escaped prisoner from another state, one was in jail charged with murder of his wife, and one was charged with molesting three boys on the street.
>
> A 14-year-old girl was confined in a cell with two women charged with drug use, who constantly cut themselves with pieces of glass.
>
> A 16-year-old boy was confined in a cell with a man charged with murder.
>
> A 15-year-old boy was confined with three adults, two were charged with drunkenness and one with murder.

Inadequate separation also means that children are held in cells with the mentally disabled. We learned that juveniles are regularly mingled with inmates who are mentally ill or retarded or with inmates awaiting competency hearings.

Rape, other forms of physical abuse and harassment, and suicides are just some of the consequences of confining juveniles with adults.

Many of the county jails and municipal lockups in which juveniles are held are in deplorable condition. In Under Lock and Key, Judge Don J. Young described such a jail:

> When the total picture of confinement in the Lucas County Jail is examined, what appears is confinement in cramped and over-crowded quarters, lightless, airless, damp and filthy with leaking water and human wastes, slow starvation, deprivation of most human contacts, except with others in the same subhuman state, no exercise or recreation, little if any medical attention, no attempt at rehabilitation, and for those who in despair or frustration lash out at their surroundings, confinement, stripped of clothing and every last vestige of humanity . . .

In Jails, Ronald Goldfarb notes:

> Since most jail employees are law enforcement personnel, often uninterested in or hostile to their assignments to guard inmates, people in jail are . . . placed in the hands of those who are least likely to teach or exhibit (respect for law and order) . . . the least qualified and the poorest paid employees in the criminal justic system, the jail guards.

American Jails, a publication of the Centennial Congress of Corrections, states:

> The majority of county and city jails are more or less independent units, each having a certain autonomy. The grounds, buildings and equipment are owned by the respective counties and cities. In a majority of cases the buildings are old, badly designed, poorly equipped, and in most instances in need of urgent repairs. They are not properly heated, ventilated nor lighted; they do not have the necessary facilities for the preparation and service of food; proper and adequate provision for bathing and laundering are missing; sanitary arrangements are, for the most part, primitive and in a bad state of repair; only in rare instances are there proper hospital facilities or means for caring for the sick and infirmed; religious services are infrequent; educational activities are almost completely unknown . . . Recreation is mostly restricted to card-playing, and in general, complete idleness is the order of the day. Filth, vermin, homosexuality and degeneracy are rampant, and are the rule rather than the exception. Of these there is no more pressing nor delicate problem, among the many confronting jail administrators today, than the ever-present and increasing problem of homosexual behavior among those incarcerated in jails all over the nation.

The Youngest Minority, a publication of the American Bar Association, asserts:

> Besides deliberate and intentional infliction of discipline in a cruel manner, punishment can also imply a wrong in institutional management that is not erased by good intent and lofty purposes. For example, a fourteen-year-old juvenile was serving ninety days on a chain gang for petty larceny. He was shot in the face by a trusty guard and lost both eyes and suffered brain damage.

Adult jails often lack the most basic medical services. In the questionnaire survey of "medical facilities" in 1,431 jails, the American Medical Association found that 759 provided "First Aid Only." Further investigation revealed that many of the "medical facilities" listed were nothing but first-aid kits.

A recent study by Yale University researchers found that three-quarters or more of the violent children in a Connecticut reform school "had been seriously abused by their parents or caretakers." This included being hit with a belt buckle or whip, and being burned and beaten with a stick. 96%

of this group were "found to have brain or neurologic disorders or psychiatric problems."

In adult jails and lockups, the mental and physical ailments of juveniles, including drug reactions and diabetes, go unnoticed. This neglect can and does lead to unnecessary deaths.

Adult jails are not required to provide educational, recreational, or indeed any services or programs for juveniles. According to the last National Jail Census, many states had no visiting facilities. In an interview with a Children's Defense Fund staffer, a 12-year-old confined in a jail cell in the men's section, said:

> all steel and you can't see nothing. There was nothing to read, nothing to do at all. I did nothing. I screamed at the cops. It's the only thing to do. Then sometimes they'd push me around. The worst thing--it was boring. You could be dying in there and they wouldn't even know. Once I ripped a handle off the wall. I wanted to see if they would see me in the camera. But no one came. Another time I smashed a great big hole in the wall and they didn't know.

Self-reports of juvenile crimes show that nearly 98 percent of all adolescents will commit at least one criminal act which will go unreported to police. But it is poor children, unable to marshall the support of parents, lawyers, or other resources, who are most likely to be jailed. In Jails: The Ultimate Ghetto of the Criminal Justice System, Ronald Goldfarb points out:

> The flexibility of the delinquency concept has aggravated the tendency, already severe, toward class and race discrimination in the administration of juvenile justice. Offenses by young people are common, but, generally, poor children in trouble end up in jails and other correctional institutions. Minority group children are disproportionately represented, white children underrepresented.

MYTHS ABOUT CHILDREN IN JAILS

A number of myths are associated with the jailing of juveniles. We hear most often that these children are dangerous and "the community must be protected." The truth is that while serious lawbreaking receives a great deal of publicity, only about 10% of delinquent youth who appear in court are violent. A 1978 report to the Ford Foundation, Violent Delinquents, reveals that "violent acts by juveniles account for 10-11% of all juvenile arrests . . . repeated violence by juveniles is not a common phenomenon," and "simple assault is the most common violent crime committed by juveniles." A survey by the Children's Defense Fund found that of 162 children for whom jails had recorded charges, only 19 (11.7%) were in jail for alleged dangerous acts. In a study of 1,138 juvenile offenders in Columbus, Ohio, the Academy for Contemporary Problems learned that "Youths arrested for violent offenses constituted less than one-half of 1% of juveniles born in Franklin County, Ohio in 1956-68, and less that 2% of all such persons with a pre-adult police record."

In Children in Jails: Legal Strategies and Materials, the National Center for Youth Law reported that:

> . . . a recent NCCD study, conducted in Upper New York State, revealed 43% of the children in local jails were alleged PINS (persons in need of supervision), none of whom were charged with any crime. A Montana survey found that dependent and neglected children were routinely held in jails; at over half of the jails, children were confined as a deterrent, even absent formal charges against them. The census reported that 2/3 of all juveniles in jail were awaiting trial. In 7 states, all children detained are held in jail and in 21 states, more children are held in jail than in equally available juvenile detention facilities. Analysis of correctional programs in 16 states revealed that 50% of children between 13 and 15 in these programs, had previously been in jail one or more times.

A report on juvenile correctional reform in Massachusetts, prepared by the Center for Criminal Justice at Harvard Law School, compares an "old system" in which all detention was in secure settings, with a "newer system" of detention in open settings, such as shelter care. The report concluded that "In the newer system, since around 80 percent of the youth are in relatively open settings with relatively low recidivism rates, the policy implication is clear. It is possible to put the majority of youth in open settings without exposing the community to inordinate danger."

To protect children from themselves or from dangerous home environments is another rationale for jailing juveniles. The Children's Defense Fund reveals

that,

> in the name of protecting children, we found many youngsters in the filthiest, most neglected and understaffed institutions in the entire correctional system. One child was in jail because her father was suspected of raping her. Since the incest could not be proven, the adult was not held. The child, however, was put in jail for protective custody.

The President's Crime Commission was told of "four teen-age boys, jailed on suspicion of stealing beer, who died of asphyxiation from a defective gas heater, after being left alone for eleven hours in an Arizona jail." In Indiana, a thirteen year old boy, veteran of five foster homes, "drove his current foster father's car to the county jail and asked the sheriff to lock him up. The child was segregated from adults, pending a hearing for auto theft. A week later his body was found hanging from the bars of his cell; a penciled note nearby read, 'I don't belong anywhere.'"

A recent study of North Carolina jails found young males arrested on drinking charges are particularly prone to suicide--usually within the first 24 hours of incarceration.

For children who are abused or self-destructive, being caged with dangerous offenders, in inadequate facilities lacking sufficient or trained staff, is a life-threatening situation. In 1979, the National Coalition for Jail Reform, comprising 29 organizations including the American Bar Association, the National Sheriff's Association, the National League of Cities, the American Insitute of Architecture, and the National Council on Crime and Delinquency, unequivocably endorsed "the goal that no child should be held in an adult jail," and stated that, "confinement in an adult jail of any juvenile is an undesirable practice. Such confinement has known negative consequences for youths--sometimes leading to suicide, always bearing life-long implications." The National Coalition for Jail Reform is in accord with Dr. Rosemary Sarri's assertion that:

> Throughout the United States conditions in jails and most detention facilities are poor; they are overcrowded and lack the basic necessities for physical and mental health; supervision and inspection are inadequate, and little or no in-service training is provided. Lack of continuing supervision is especially problematic for jailed youth, since they can be abused by adult prisoners.

In a four-year study conducted by New York State's Select Committee on Child Abuse, a "definite link" between child abuse and neglect and juvenile delinquency was shown. Reviewing this, and similar findings in other studies

from across the nation, Gwen Ingram, director of the National Council on Crime and Delinquency Youth Center, concludes, "If children first visit court as victims and receive no assistance, they return to the same problems and develop survival skills that often cause their return to court as the accused."

Children are also put in jails, "To teach them a good lesson." However this lesson often backfires. In their Dangerous Offender Project, a three-year effort funded by the Lilly Endorsement, the Academy for Contemporary Problems discovered that, "Incarceration seems to speed up, rather than retard, the recidivism of the 'violent few' among juvenile offenders." The researchers charge that "Juvenile court dispositions swing from a total lack of punishment at the beginning of a criminal career to overly harsh incarceration a few crimes later on." Early on, "A youth learns that he can break the law and not be punished. He is unimpressed with the seriousness of the law." When finally put behind bars, he is likely to regard it as merely "the luck of the draw." The study concludes, that "legislators and judges ought to devise intermediate sanction measures that will make incarceration less frequently necessary. Among these might be restitution, community service orders, restrictions to a group home, and other losses of liberty designed to show that the court means business."

The lavishly praised "Scared Straight" program, in which prison inmates brutally try to frighten youngsters out of careers as lawbreakers by sneering, making homosexual advances, and offering tales of how men are crippled in jails, has been shown to be a failure. A recent study by Rutgers Professor James O. Finckenauer traced 46 juveniles who had graduated from the Rahway prison sessions and set up a control group of 35 similar youths who had not attended them. "Contrary to televised claims that 80 to 90 percent of the project's alumni had stayed out of trouble, Finckenauer found that only 59 percent of his subjects avoided arrest; in contrast 89 percent of the control group had not been arrested. Worse yet, of nineteen youngsters who went to Rahway with no criminal record, six later broke the law." According to Newsweek reporters Aric Press and Donna Foote, "Many authorities express shock that unspeakable prison conditions, instead of being corrected, are being touted as a remedy for youth crime."

Children are terrified by jails. They associate them with abuse--homosexual abuse, abuse by guards, and abuse by other prisoners. As a result,

they learn they cannot trust adults charged with carrying out the law. They learn to hate. Milton G. Rector, President, National Council on Crime and Delinquency, states:

> The fact that murders and other violent crimes are committed by children does not make the criminal justice system any more suited to the task of control and rehabilitation of young people. Every study of prisons for adults has demonstrated the disabling effects and inappropriateness of prison environment for bringing about positive change in attitudes and behavior. The intensive, specialized efforts needed for the serious young offender have a better chance to evolve from programs and experimentation within the juvenile system.
>
> The act of remanding violent young offenders to the criminal courts is often a surrender and a cop-out by otherwise responsible public officials. In too many cases it is a political ploy to appear tough on crime rather than face up to the need for an intelligent attempt to cope with serious crimes by children within the juvenile justice system and to contend with the causes of such crimes.
>
> It is ironic that leaders in the juvenile justice field choose to push the most serious offenders into the criminal courts and to devote their resources to truants, runaways, and unruly children, who were pushed into their laps by education, welfare and mental health systems which also prefer to appear tough rather than smart.

Law enforcement officials and judges often regret jailing children, but justify their actions in the belief that, "Juvenile detention facilities are unavailable, overcrowded or inappropriate." The fact is that even where detention centers are readily available and existing legislation prohibits the jailing of juveniles, children are still placed in jails. In 7 out of 8 states where surveys were conducted by the Community Research Center of the University of Illinois, it was found that the availability of detention centers did not in itself preclude children from being placed in jails. The Children's Defense Fund discovered that several thousand children were confined in adult jails every year in a Texas county with a large detention center. Where the practice of jailing children is permitted legally, or through lack of enforcement of statutory prohibitions, jails will be used to hold children.

Overcrowding of juvenile centers should not be used as an excuse for jailing children, since many could be released or held in a community-based setting pending trial. A survey of the effects of an employees' strike, which resulted in the furloughing of many juveniles from state training schools in Pennsylvania, found that "of 426 young people released for a period of two days to three weeks, nearly all returned without incident."

In Confronting Youth Crime, a report by the Twentieth Century Fund, a task force chaired by former Ohio Senator Robert Taft, concluded that preventive pre-trial detention is "inappropriate and unjust," and that community supervision, rather than detention, should be utilized to insure that young defendents appear for trial. However, the Supreme Court, which has broadened the rights of children charged with delinquent acts, has yet to act at all on procedural guarantees for young people facing legal sanctions for "misbehavior or uncontrollability."

Children who are mentally ill or seriously retarded, and difficult to place are also put in jails. A Children's Defense Fund team discovered children in jails who were on waiting lists for mental hospitals, along with children who simply had no place to go. "One boy's mother had been hospitalized, and because no relative or neighbor had been able to take him the sheriff took him to jail." In Under Lock and Key, Dr. Rosemary Sarri notes that in Montana where dependent and neglected children were held in jails "when necessary," "Juveniles could remain in jail for indefinite periods since only a few counties or cities had procedures for controlling the maximum number of days they could be held." Can we not provide more humane treatment than homes in jail cells for dependent and neglected children?

The final myth concerning the jailing of children is that it is appropriate to "jail children who have been waived from juvenile court to adult criminal court," a practice which is increasing. Guided by public fears and and pressures, many broad statutes are being enacted to permit juveniles to be tried in criminal courts. Disturbed youth and juveniles who have committed simple assaults are swept up with those who murder or rape. "All these laws will do is lock a few kids up for a longer period of time," says Marcia Lowry of the ACLU's Children's Rights Project. More than that, they will legally subject juveniles including less serious offenders to the riskes and harms of comingling with adult criminals.

In Florida, a 16 year-old boy was waived to an adult court for purse-snatching. He spent 201 days in an adult maximum security facility, much of it in solitary confinement, while his case was repeatedly continued in adult court. He became increasingly disturbed, telling an officer he would set the place on fire if he was not let out.

> The officer reported this to the supervisor and was told to watch the prisoner's conduct carefully to determine if additional solitary confinement procedures should be used. Within five minutes, smoke was coming from polyurethane mattresses stored outside the cell, which the prisoner apparently had ignited by throwing lighted

newspaper near them.

One officer and ten prisoners, including the boy himself, lost their lives in this fire. Yet in 1978, Florida enacted a law permitting states' attorneys to prosecute in adult court any 16 or 17 year-old who has previously committed two delinquent acts, one of which is a felony. Felonies may include such acts as auto theft and selling marijuana. Having been deprived even of a waiver hearing, the juvenile may then be tried and handled in every respect as if he were an adult. And similar statutes are being enacted despite official crime statistics which show juvenile crime lessening in many areas.

THE JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT OF 1974

In 1973, the Senate Subcommittee to Investigate Juvenile Delinquency heard clear and convincing testimony concerning the harmful effects of comingling juvenile and adult offenders:

> Regardless of the reasons that might be brought forth to justify jailing juveniles, the practice is destructive for the child who is incarcerated and dangerous for the community that permits youth to be handled in harmful ways.

From this and similar testimony came the Juvenile and Delinquency Prevention Act of 1974.

The requirements of the Act with respect to juveniles in adult jails and lockups are embodied in section 223 a (13):

> (13) provide that juveniles alleged to be or found to be delinquent and (status and non-offenders) shall not be detained or confined in any institution in which they have regular contact with adult persons incarcerated because they have been convicted of a crime or are awaiting trial on criminal charges.

The implementation of the Act has been directed principally towards changing the traditional practice of institutionalizing juveniles. Schools, parents, police, the courts, and the community in general, have been required to examine their perceptions of juvenile delinquency and their methods of dealing with youth in trouble. Recent research and national standards have provided strong support for the mandates of the Act, particularly with respect to the removal of juveniles from adult jails and lockups.

Still, in most states, the criteria for secure detention of a juvenile are that he be "likely to run, likely to commit a new offense, or likely to harm himself." This concept of "likely to" has been denounced as vague and subjective by the American Bar Association, the National Advisory Commission on Criminal Justice Standards and Goals, and other organizations concerned with juvenile justice standards. They assert that language such as "likely to" gives too much latitude to law enforcement officers and others who make decisions about releasing or detaining children. Views of what constitutes "the best interests of a child," or which child is "likely to" engage in harmful behavior are as varied as the attitudes of each arresting officer. Organizations such as the American Bar Association suggest that specific criteria including type of offense, legal history, and legal status be used in determining whether to detain or release a child. In this way, decisions can be reached irrespective of sex, race, appearance, socio-economic status, access

to legal counsel, etc.

Studies by the Community Research Forum of the University of Illinois show that where objective standards concerning juveniles have been adopted, reductions of up to 80 percent have occurred in the number of youth requiring secure detention.

While the Juvenile Justice and Delinquency Prevention Act holds that juveniles can be detained in adult jails and lockups as long as they are kept separate from adult offenders, "separation" is poorly defined in most state statutes. Often, a reading of the statute does not clarify whether juveniles are ever permitted in adult jails, or if they may be held in adult jails, if they are separated from adults. What is meant by "separation" is also unclear as to physical, sight, sound or other separation, and open to individual interpretation. In addition, these statutes are neither specific nor objective as to which juveniles to release and which to detain, further allowing personal biases to influence such decisions.

In response to the Act, however, several states have moved in the direction of an outright prohibition on jailing juveniles. Maryland, Washington, and Pennsylvania have legislated such a prohibition during the last two years.

Recent court litigation has also supported this prohibition. In Witite v. Reid, the jailing of children was denounced as lacking due process, and in Baker v. Hamilton as cruel and unusual punishment. In Swansey v. Elrod, the court extended the prohibition against jail confinement to children who have been waived or certified to adult court.

These legal arguments, further extended by the National Coalition for Jail Reform and the National Center for Youth Law, show the potential for a court decision regarding the constitutionality of jailing children.

ALTERNATIVES TO SECURE DETENTION

> Joan M., 14 years old, ran away from home because she did not get along with her mother. Eric, 17, left because there was not enought room for him at home.
>
> Both needed help. And they found it at a runaway house here (Washington, D.C.), one of the many facilities in the country that provides short-term aid to such youngsters.
>
> The New York Times, May 20, 1979

There are many examples of successful alternatives to the secure detention of juveniles. In their careful analysis of home detention, attention homes, runaway programs, and private residential homes, University of Chicago researchers Thomas Young and Donnell Pappenfort found that upwards of 90% of juveniles in programs providing alternatives to secure detention neither committed new offenses nor ran away. The following is a summary of their study, Secure Detention of Juveniles and Alternatives to its Use,* which was conducted under a grant from the LEAA:

Home detention programs permit youths to reside with their parents while meeting with probation officer aides at least daily. Some jurisdictions emphasize the supervision and surveillance aspects of this approach, while others stress the service components. But all seven programs studied authorized the aides to send a youth directly to secure detention when he or she did not fulfill program requirements such as daily contact with the aide, or attendance at job or school. Programs studied were Community Detention of Baltimore; Outreach Detention Program of Newport News, VA; Non-Secure Detention of Panama City, FL; Home Detention of St. Joseph/Benton Harbor, MI; Home Detention Program of St. Louis, MO; Community Release Program of San Jose, CA; and Home Detention Program of Washington, DC.

Attention Homes are group homes usually housing between five and 12 juveniles plus one set of live-in house-parents. Frequently the home is a converted single family dwelling in a residential neighborhood so that the juveniles can continue attending their schools. Social service workers are often available to the juveniles and to the adults providing care. The research team studied Discovery House Inc. of Anaconda, MI; Holmes-Hargadine Attention Home of Boulder, CO; and Attention Home of Helena, MT.

Runaway programs are also group residences, but they differ in certain respects from each other and from the attention homes. Amicus House of Pittsburgh is designed for runaway youths from that area. Admission is not limited to juveniles referred from detention intake, and the program emphasized inten-

sive counseling to resolve immediate crises, followed by referrals for longer-term help if needed. In contrast, Transient Youth Center of Jacksonville, FL is geared to youths who are primarily from other states and who are brought in by police and court officials. Youths usually only stay a short time since the primary goal is to help them return to their natural parents.

Private residential foster homes can be quite different from one another. For example, the Proctor Program in New Bedford, MA is run by a private social work agency. It pays single women aged 20-30 to take one girl at a time into their homes for 24-hour care and supervision while agency staff develop full treatment plans. In contrast, the program studied in Springfield, MA is a network of foster homes (two beds each), two group homes (five beds each), and a "receiving unit" group home (four beds). Beside the foster parents and group home parents, a small number of professional staff provide counseling and advocacy services. This relatively extensive program was credited with helping Springfield to have a very low detention rate for a city its size.

PROGRAM RESULTS. For the 14 programs studied the 'failure rates'--i.e. proportions of youths allegedly committing new offenses or running away while in the program--ranged from 2.4% to 12.8%.

None of the four types of program was associated with consistently better or worse failure rates, and 'similar programs can produce different results' in different contexts, according to the study.

The researchers concede that their 'failure rates' are open to challenge by those who claim that in home detention programs any juvenile referred to secure detention represents a 'failure.' If this criterion were used, the failure rates for the seven home detention programs in the study ranged from 8.1% to 24.8%.

RECOMMENDATIONS OFFERED. Young and Pappenfort offer several conclusions for the benefit of communities considering alternatives-to-detention programs, among them the following:

--Since overuse of secure detention continues in many parts of the country, the main alternative should not be another program. A large proportion of youths should simply be released to their parents or guardians to await court action.

--The various program formats appear to be roughly equal in their ability to keep their charges out of trouble and available to the court.

--The higher rates of failure appear to be due to factors outside the

control of program employees, such as excessive lengths of stay caused by slow court processing.

--Residential programs, i.e. group homes and foster homes, are being used successfully for both alleged delinquents and status offenders.

--The attention home format seems well suited to the needs of less populated jurisdictions, where separate programs for several special groups may not be feasible. It is also suitable for a mixed population of alleged delinquents, status offenders, and others.

--A range of types of alternative programs should probably be made available in jurisdictions other than the smallest ones.

--Even when alternatives are available, certain courts are 'unnecessarily timid' in defining the kinds of juveniles to be assigned to them.

In the state of Michigan, and in Spokane, Washington, highly successful crisis intervention programs have been developed involving round-the-clock intake services.

In Michigan, skilled professionals, youth attendants (individuals recruited from the community to work on an hourly basis), and foster parents combine to provide emergency care for serious offenders awaiting court appearances. In 1978, this program placed 1,300 youths in 32 separate foster homes, and had a truancy rate of only 10 percent.

Spokane's program uses a team of professionals and paraprofessionals who provide an alternative to juvenile court intake 24 hours a day, 7 days a week. On call to the police, the team goes wherever a family crisis involving a juvenile has developed, and attempts to stabilize the crisis situation. Where necessary, the team makes referrals to community agencies, and follows up on their outcome. In four months, this program reduced the number of status offenders referred to juvenile court by 60%. And in fact, placement in shelter facilities was not needed as much as expected, since often the crisis intervention was enought to handle the problem.

There will continue to be a steady, if irregular need for secure detention for some juveniles charged with serious offenses. But isolating juvenile offenders into substandard living conditions in adult jails will not answer that need. Nor will the indiscriminate use of a separate secure detention facility. There must be flexibility in handling juvenile offenders, so that the number of juveniles in secure settings, including adult jails and lockups, is reduced. This can be accomplished through the use of specific criteria

for release or detention, 24-hour intake screening, next-day court appearance, regular review of all detention cases, and a network of alternative programs.

PLANNING TO EFFECT CHANGE

Across the country, people are becoming aware that thousands of children each year are in adult jails often characterized by cruel, substandard conditions. In response to research, federal legislation and court orders, pressure is mounting to stop the practice of jailing juveniles. The demands for change must be formidable, however, because long entrenched customs in many states and localities have institutionalized the practice of mixing children and adults in the same jail or police lockup. Even though it is frequently quoted that, "children are our most precious resource," officials explain that children are in adult jails because "we haven't invested the resources to develop alternatives." The key then, becomes convincing local and state officials that placing children in adult jails is sufficiently serious to warrant a change in established practices and the commitment of resources to develop alternatives.

The Community Research Forum has found that successful pressure for change can come from several sources. For example, child advocates in an Eastern state effectively lobbied the state legislature to pass tough legislation prohibiting the jailing of children. In the West, a state juvenile justice advisory group targeted federal funds to develop alternatives to jailing children in the state's rural counties. Committee members of a regional criminal justice planning commission in the Southeast toured the jails in their four county region. They found a high potential for abuse of the children in the jails and decided to devote their efforts to developing alterntives. In the Southwest, a federal court order mandated the removal of children from an overcrowded and unsafe jail.

Developing official concern for change does not always translate into an actual change occurring, however. Marshalling various public and official interests is required to reach consensus and act on solutions to removing children from adult jails. Moreover, it is possible to aggravate rather than improve conditions for children by responding to convenient and simplistic solutions. For example, a tendency in many communities is to construct juvenile detention centers to hold all children currently detained in the adult jail. Yet, it is often the case that these children would have been safely and more appropriately released to a supervised nonsecure setting. Haphazardly building large juvenile detention centers serves to perpetuate the inappropriate confinement of children and squanders limited resources

needed for other youth services.

To avoid these pitfalls, the Community Research Forum has developed a planning methodology which arrives at rational solutions for removing children from adult jails. This planning process begins with a definition of the problems, moves through a method of obtaining information and assessing alternative solutions, and establishes a strategy for implementing, monitoring and evaluating the effectiveness of the new programs and procedures. Specifically, this planning methodology involves six sequential phases:

1) organize for planning
2) assess needs
3) obtain public input
4) establish policy and develop plan
5) implement plan
6) monitor system

Certain planning maxims are inherent in this methodology. First, the methodology strongly endorses the concept of meaningful citizen participation in the planning process. Experience in government planning has repeatedly shown that citizens must actively participate with officials throughout the planning process to insure that government-sponsored programs will actually meet a community's needs. In the juvenile justice field, the response to problems has historically been one primarily concerned with cost efficiency and public safety, often at the expense of the youth's best interests. Inserting active citizen participation into this decison-making process preserves these traditional requirements, but also provides a voice for the rights and needs of children.

A second theme of this methodology stresses the need for accurate and detailed information before final decisions are reached. Narrow responses to problems are often formulated when an issue first arises. The intent of this planning methodology is to develop several options to solving a problem such that advantages and disadvantages of each option can be carefully assessed. These options can only be developed by obtaining sufficient information which details existing programs, recent trends in the local juvenile justice system, and records opinions of local professionals working with daily criminal justice operations.

The following sections provide a narrative description of completing each phase in this process. This narrative discussion follows the graphic display

of the planning process as shown on the enclosed flowchart. It should be noted that the planning activities listed for each planning phase only serve to illustrate the wide range of activities which may be conducted to successfully complete the planning process. The actual planning activities to be conducted should be tailored (within this basic planning format) to the demands of each project.

PHASE I: ORGANIZE FOR PLANNING

Planning Activities

1. Perceive problem and tentatively identify major issues
2. Assess need for and identify consultants resources
3. Establish representative planning/advisory board
4. Convene planning/advisory board
   a. discuss problems
   b. define & assess boundaries of youth service area
      1. legal & geographic jurisdiction
      2. funding sources
      3. justice agencies
      4. other service agencies
   c. determine project goals & objectives
   d. identify issues to be addressed by planning project
5. Establish criteria for collection & analysis of data
6. Establish working timetable

OUTCOME: STATEMENT OF BROAD PROJECT GOALS

Narrative

The planning process begins when criminal justice officials in a community or state express interest in finding alternatives to placing children in adult jails. At this point, it should be determined if local staff resources can competently analyse the major issues as tentatively defined. If not, a search for and selection of qualified consultants should begin. Experienced consultants may be found in private firms or technical assistance may be obtained through the Office of Juvenile Justice and Delinquency Prevention in Washington, D.C.

With adequate staff and resources allocated to the project, an advisory board should be established which is broadly representative of official and citizen interests. The development of this board is crucial to the future success of the planning project since it will have major decision-making responsibilities throughout the planning process. Therefore, advisory board

members should be familiar with local juvenile justice issues, represent diverse community interests, and generally hold leadership or activist positions in the community or state. Examples of the official interests to be represented on this board include: the judiciary, law enforcement, juvenile court staff, prosecution, public defenders and elected officials. Citizens with a broad concern for the welfare of children and who possess no vested interest in any one aspect of the local juvenile justice system should also be included on this board. These citizens might be chosen from a local child advocacy group, or from other public interest organizations having an interest in children's issues (i.e., League of Women Voters, or the National Council of Jewish Women).

The initial function of this advisory board is to provide general direction and establish the goals for the planning project. This involves identifying potential issues which may have an impact on the current practice of jailing children. For example, it may be perceived that few nonsecure alternatives are available in the community, or poor coordination of existing programs results in children being jailed. Or perhaps children are jailed by an adult traffic court which has jurisdiction over juveniles involved in minor traffic offenses. Or, the unavailability of juvenile court staff after normal office hours may result in police jailing children overnight. Discussion by the advisory board of these potential problems results in a list of issues to be addressed by the planning board. The criteria to be used for collecting data and analysing these issues should then be discussed. Criteria proposed by three recently released national standards projects* can provide a perspective on national goals from which the local juvenile justice system can be compared. These national standards can also be supplemented with additional criteria for data gathering which pertain to issues of special local concern. The first phase of the planning process concludes when consensus is reached by the board on the overall goals of the project and a working timetable for the project is established.

*These standards are from: the National Institute for Juvenile Justice and Delinquency Prevention (NIJJDP), the Institute of Judicial Administration/ American Bar Association (IJA/ABA), and, the National Advisory Committee on Criminal Justice Standards and Goals (NAC).

PHASE II: ASSESS NEEDS

Planning Activities

1. Identify existing youth service resources
2. Review existing information
   a. literature
   b. standards
   c. legal
   d. aggregate statistics of juvenile justice system
   e. policy and procedures
   f. other pertinent reports
3. Conduct survey of juvenile justice system
   a. interview key figures & staff in justice and youth service system
   b. assess operation of existing youth service programs
   c. survey characteristics of youth population
      1. court intake referrals
      2. secure custody referrals
      3. nonsecure custody referrals
4. Determine capabilities & deficiencies of existing youth service system
   a. law enforcement process
   b. court intake process
   c. judicial process
   d. organizational structure
   e. youth service programs
5. Identify needs of youth service system
   a. present
   b. projected
6. Prepare preliminary report with options to meet project goals & objectives

OUTCOME: PRELIMINARY REPORT WITH OPTIONS TO MEET PROJECT GOALS

Narrative

Assessing the program needs of a community first requires a thorough data collection effort which identifies existing local resources, provides insight into local practices, and records the characteristics of the children involved in the juvenile justice system as defined by the advisory board, state statutes, regulations, and national standards. This phase is conducted by the professional planning staff assigned to the project.

The first step in this data collection effort requires the planner to develop a general familiarity with the placement alternatives available to local police and the juvenile court when a child is first arrested. Such alter-

natives may include: release to the child's parents; a runaway/shelter home; emergency foster parents; an intensive supervision program; a police lockup; or the adult jail. With these existing alternatives identified, secondary (or previously collected) information should be examined. State and national standards, pertinent studies, state codes and court rules should all be reviewed. Reports from the juvenile court, law enforcement agencies, and the previously identified placement alternatives should also be analysed. These materials can provide an understanding of policies, procedures and recent statistical trends within the local juvenile justice system.

The planner's perspective of the juvenile justice system as developed through written documents should next be supplemented with the personal opinions of key local officials. Interviews should be conducted with persons involved in the daily operation of local juvenile justice programs. These may include: the juvenile court judge, the chief probation and court intake officers; the police specialist in juvenile justice, the city or county prosecutor, the public defender, the chief jailer; and, directors of the available alternative placement programs. These officials can provide invaluable information concerning the actual operations of the juvenile justice system and the successes and failures of existing programs. Additional insight into the capabilities and deficiencies of existing programs can be gained through the perspective of program staff. Therefore, an opinion survey of staff in existing youth service programs may also be required.

Finally, detailed information on a sample of juveniles referred to the juvenile justice system should be collected. This data can provide a better understanding of the exact capacities of secure and nonsecure programs needed in a community. One survey should be conducted at the juvenile court intake office to measure the characteristics of children who may be placed by the court in an out-of-home program. Generally, this means children who have petitions filed to appear for subsequent court hearings. A second survey should be conducted at each secure facility (such as, the jail and police lockup) that may hold children. Examples of court intake and secure custody surveys used by the Community Research Forum are included as Appendices I and II. The juvenile court survey records the characteristics of children released to parents, referred to a nonsecure pretrial program, or placed in a secure pretrial setting. The secure custody survey records those children who may be detained by police without contacting the juvenile court. It also records

the number of children detained by the juvenile court judge after the initial court intake referral (i.e., at a detention, adjudication, or disposition hearing). The secure custody survey also measures the length of stay of all children placed in detention. Data from each survey should be collected for at least 30 days to adequately record the types of referrals and placement procedures of the jurisdiction. Since the number of court intake and secure custody referrals vary from month to month in most jurisdictions, the survey data should be compared with the peak number of monthly referrals recorded during the past year. The capacity needs as identified by the survey data should then be adjusted to accommodate the estimated peak needs of the jurisdiction. Projected juvenile population increases or decreases for the jurisdiction should also be noted when estimating the community's program capacity needs.

A sound information base results from this thorough data collection effort and allows the planner to assess the capabilities and deficiencies of the existing youth service system. Various options and their anticipated impacts can then be proposed to meet the goals of the planning project as identified by the advisory board. The information base should reveal that several factors affect the ultimate goal of removing children from jail and finding appropriate alternatives. The planner should carefully analyse each component of the juvenile justice pretrial system--law enforcement, court intake, judicidary, placement programs, and others--to note their impact on the pretrial placement needs of the jurisdiction. Program needs can then be assessed given a continuation of existing practices and procedures. Modifications to the existing system and their anticipated impacts (such as, developing a new nonsecure shelter program, applying strict detention criteria, assuring the availability of the court intake staff on a 24-hour basis, etc.) can also be proposed in the form of optional courses of action.

The needs assessment phase concludes with a preliminary report which presents a summary of the information collected, plus a discussion of policy options available to meet the goals of the planning project.

PHASE III: OBTAIN PUBLIC INPUT

Planning Activities

1. Public hearing
   a. publicize preliminary report & announce date of hearing
   b. conduct hearing

OUTCOME: CITIZEN RESPONSES

Narrative

An important step in this planning process involves obtaining the views of citizens before decisions are made. As previously mentioned, the goals of many government programs have often never been reached because the public's views were either ignored entirely or superficially requested after major decisions had been made. Experience has shown that the benefits of citizen participation can only be realized if citizens are given a partnership role in the decision-making process.

This stage of the planning process is especially timely for obtaining effective public input. Comprehensive information has been collected which assesses in detail the existing juvenile justice system. Problems have been identified and possible options to solve these problems have also been presented in the preliminary report. A recommended method of obtaining community reaction to this preliminary report is to conduct a public hearing. To insure full participation, the preliminary report should receive wide exposure through the news media, and the date, location and purpose of the public hearing should be publicized. Summaries of the preliminary report as well as extra copies of the full report should be made available to interested citizens. At the public hearing, the advisory board and planning staff should be present to answer questions and respond to comments from the public. Responses received during the public hearing provide the advisory board and other local decison makers with a better awareness of public attitudes toward the local juvenile justice system. The public hearing also indicates public preferences toward the specific options available to achieve the planning project's goals.

PHASE IV: ESTABLISH POLICY AND DEVELOP PLAN

Planning Activities

1. Convene Planning/Advisory Board
   a. select & prioritize options
   b. develop comprehensive plan

OUTCOME: PLAN FOR ACTION

Narrative

At this stage the advisory board should meet again to discuss the preliminary report and reach consensus on which options to implement. Some of the decisions to be reached include determining: local policy for arrest and initial custody of children; the procedures of law enforcement and court staff after initial custody is made; guidelines for formal and informal court processing of cases; criteria for placement in secure and nonsecure pretrial programs; personnel and financial requirements; and, secure and nonsecure program capacities. A plan and timetable for implementing these decisions should then be established by the advisory board. Periodic meetings of the advisory board should be scheduled to review progress of the plan's implementation.

PHASE V: IMPLEMENT PLAN

Planning Activities

1. Statutory & local policy changes
2. Organizational development
   a. goals & objectives
   b. organizational structure
   c. evaluation design
3. Non-residential program development
   a. goals & objectives
   b. clients
   c. staff
   d. operations
   e. evaluation design
4. Residential program development
   a. goals & objectives
   b. clients
   c. facility development
   d. staff
   e. operations
   f. evaluation design

OUTCOME: FUNCTIONING YOUTH SERVICE SYSTEM

Narrative

The next phase of the planning process is to implement components of the plan as outlined by the advisory board. In some instances, local policies and procedures will be modified. Orientation and training of line staff (i.e., police, court staff, etc.) is required to insure uniform application of these new policies and procedures. Other components of the plan may call for a new organizational structure (such as a Youth Service Coordinating Council), or new residential and nonresidential programs. Steps should be taken to obtain the necessary approval of these components from relevant elective bodies (i.e., state legislature, city and county boards, etc.)

In addition, the goals and objectives of the programs need to be established to clearly define the purpose of each program and their relationship to the overall youth service system. New programs must define the clients to be served, staff to be hired and the content of daily services to be provided. If a 24-hour residential program is to be developed, it must be decided whether existing facilities can be renovated to meet program needs or if a new building should be designed and constructed. All components of the youth service system should develop an evaluation design which identifies program objectives and the statistics needed to measure progress in meeting these objectives for future evaluations. The net result of these activities is a functioning youth service system designed to meet the goals of the planning project and to provide suitable alternatives to placing children in adult jails and lockups.

PHASE VI: MONITOR SYSTEM

Planning Activities

1. Develop methods of monitoring the activities & effectiveness of youth service system
   a. clarify subject matter to be monitored
   b. establish authority to monitor
   c. collect information
   d. establish inspection methods
   e. establish reporting methods

OUTCOME: PERIODIC MONITORING REPORTS

Narrative

The final planning phase involves monitoring the youth service system to insure that the goals of the planning project are achieved as intended. Establishing an effective monitoring process requires that authority be granted to some agency or commission to collect data, inspect programs and propose necessary modifications to the youth service system. On the local level, the advisory board or a community youth service coordinating council may assume this role. On the state level, a state commission on Juvenile Advocacy, a state office of youth services or a state monitoring board may be granted this authority. Specifically, the monitoring process should identify whether the legal rights of juveniles are uniformly upheld throughout the system and the extent to which existing programs and practices should be altered to respond to the changing needs of youth.

Case Study: A SINGLE COUNTY PLANNING PROJECT

A large Midwestern community was experiencing a host of problems in finding satisfactory pretrial placements for juveniles. These problems were especially apparent at the two facilities available for secure detention of juveniles--the adult jail and the juvenile detention center. Limitations in facility design and available programs in the detention center resulted in some disruptive children being transferred to the adult jail. This practice increased the detention center's problem of an already low average daily population which created high per diem costs.

The adult jail also had serious problems in safely handling juveniles. A wide range of official sources placed children in the adult jail. As previously mentioned, the jail was used for children who could not be safely held in the juvenile detention center. The Municipal Court also used the jail to sentence juveniles convicted of traffic and misdemeanor offenses. Due to a complex Juvenile Code, police would use the jail for arrested youth who were not clearly under juvenile court jurisdiction. An overcrowded adult jail population required these juveniles to be placed in the same 4-bed cell. In the past year, several children had been seriously assaulted or attempted suicide in this cell.

The administrators of the jail and detention center requested technical assistance from the Community Research Forum to help find solutions to these problems. The first step in the planning process then, was to organize an advisory board. Four members from each facility's previously established advisory committees plus three citizens not associated with either facility were selected to form an ad hoc advisory board to study these specific problems. This diverse board had representatives from the judiciary, law enforcement, court staff, city and county commissions, youth counseling and the general public. The advisory board first met with CRF staff in November, 1978 to discuss these problems and identify issues to be addressed by the study. These issues included:

--What are the secure and nonsecure custody needs of the community?

--What should the roles of the jail and detention center be in the local juvenile justice system?

--What nonsecure alternatives to detention have yet to be tried?

--Does the Juvenile Code and/or local policy need modification to solve these problems?

With these issues outlined, CRF staff then identified existing youth service programs, interviewed officials in the criminal justice system, reviewed state statutes and court rules, inspected facilities, studied prior reports on the local criminal justice system, and analysed recent statistics of local youth service programs. A 30-day survey of juvenile admissions to the jail and detention center was conducted to learn characteristics of the children detained. The detention center staff also participated in a survey to record opinions about the center's operations.

With this information, a preliminary report was drafted which addressed the issues listed above and presented options and recommendations. The report found that conditions in the jail were not amenable to holding children, but that the detention center could handle the community's secure juvenile custody needs given modifications to the facility, staff, admission criteria and program. Changes in the state Juvenile Code were suggested, but emphasis was placed on interim local policy changes that could occur within the context of the existing Code. New nonsecure placement programs were proposed to help insure that secure pretrial custody was reserved for only children who posed a serious threat to the public safety or court process. Given strict admission criteria, the detention center would still have spare beds. Consequently, nearby communities could also use the facility, thereby maximizing the center's efficiency and removing children from other adult jails in the state.

Copies of the preliminary report were circulated to the advisory board, the media and interested citizens. A public hearing was then held in March, 1979 to receive input on this preliminary report. The advisory board and CRF staff responded to statements from the public. Board members also raised questions and responded to recommendations in the report. The following day, the advisory board met again to reach consensus on some recommendations, defined areas requiring greater detail and set forth ideas on beginning the implementation stage of the process.

With this input, CRF staff prepared a final report which summarized reactions to the preliminary report and addressed areas of concern. The final report also proposed a mechanism for implementing the recommendations. Specifically, it was suggested that the ad hoc board or a committee of the regional criminal justice planning commission be given the mandate to set local policy concerning juvenile pretrail placement matters addressed by the

report (such as, arrest and court intake procedures, secure custody admission criteria, etc.). The committee would also be responsible for overseeing the implementation of the other recommendations and to forward the report to the state legislature. Action has already begun to carry out this implementation plan.

In summary, this community was faced with serious multi-faceted problems which were endangering the safety and welfare of juveniles who come in contact with the juvenile justice system. The use of this planning process brought government officials and concerned citizens together to search for solutions. Issues were clarified after a thorough data collection phase and potential actions could then be proposed. Media exposure and a public hearing on the preliminary report focused public attention on the problems and helped create a climate conducive to positive change in the system. This input also permitted recommendations to be refined and become more viable by incorporating the community's values and concerns. What soon emerged was a clear direction and positive action to alleviate specific problems and also improve the local juvenile justice system as a whole.

Case Study: A STATEWIDE PLANNING PROJECT

In 1978, the state legislature of a northern industrial state passed legislation creating an Office of Children and Youth Services (OCYS) which would function within the State Department of Social Services. As part of the enacting legislation, the legislature mandated OCYS to develop a statewide regional shelter care and detention plan for juveniles. The legislature was concerned that shelter care facilities and juvenile detention centers were available in the populous areas of the state, but that rural counties were placing children in adult jails. The legislature stipulated that the plan should "encourage the use of emergency shelter facilities and alternatives to secure detention where appropriate." The legislature also required that criminal justice officials and "other persons concerned with children and youth services" be consulted during the planning process.

In this case, the state legislature was primarily responsible for defining the issues to be addressed and stating the broad project goals. Consequently, the Office of Children and Youth Services entered directly into the needs assessment phase of the planning process. The staff began by reviewing existing information; such as, legislation and court rules, crime statistics, population projections, locations and capacities of pretrial

residential programs, etc. To assess the need for secure and nonsecure programs in each county, detailed information was required of those children referred to juvenile court and of those children placed in secure custody. Therefore, two surveys recording children referred to juvenile court intake and children admitted to secure custody were conducted for 30 days in each county of the state. OCYS staff held meetings with criminal justice officials in each county of the state to explain the surveys. At the same time, these officials provided considerable input about the special problems faced by their counties in finding suitable pretrial placements for children.

The survey results (100% response rate) provided invaluable information concerning the need for secure and nonsecure placement alternatives. The results allowed different methods of assessing needs to be evaluated. First, the survey indicated the current placement practices of each country as recorded during the 30-day survey period. Monthly juvenile court data from the past year was then used to estimate each county's annual peak need for secure and nonsecure programs given the continuation of existing practices.

However, the survey results showed a wide range of secure detention rates across the state, pointing to a possible misuse of pretrial detention. Therefore, a second method of assessing need looked at the impacts of applying uniform detention criteria across the state (such as those recommended by national standards).

Finally, placement practices during the survey period were certainly affected by the placement alternatives available in each county at the time of the survey. Consequently, the third method of needs assessment asked court intake officers to record where each child would have "ideally" been placed if several placement alternatives were available in the county.

With this data base, OCYS prepared a first draft of the statewide regional shelter care and detention plan. The impacts of adopting each of the needs assessment methods were presented in terms of capacities and costs of pretrial programs in each county. The draft also discussed the need for transportation systems, 48-hour holdover facilities in rural counties, the impact of finding placements more quickly for state wards detained in jails and detention centers and, phasing the statewide implementation of the new pretrial programs.

This draft was circulated across the state and fourteen regional public meetings were held to receive responses to the report. Subsequently, two other drafts were prepared before the final report was submitted to the legislature

for review and approval.

Several factors played a role in the success of this planning process. First, the state legislature was sufficiently concerned with the problem of children in adult jails to request that a regional shelter care and detention plan be prepared. Second, local officials were consulted early in the process to obtain their knowledge of local problems. Third, the specific needs of each county were assessed based on the actual characteristics of the children involved in each county's juvenile justice system. Fourth, the persistence of OCYS' staff insured that each county accurately completed the 30-day surveys. Fifth, the opinions of local officials and the general public were obtained and heeded before a final report was prepared. Finally, the legislature was presented with a detailed plan that included several options and the impacts of choosing each option. It is now expected that children will no longer need to be detained in the state's adult jails after the implementation of this plan.

Appendix

Juvenile Intake Survey

Detention Survey

Technical Assistance

References

Juvenile Intake Survey

	IDENTIFYING INITIALS (first, middle, last name)	COUNTY OF COURT JURISDICTION: / NAME OF PERSON COMPLETING SURVEY:	STATE (see attached list)	COUNTY OF RESIDENCE (see attached list)	SEX: (1) Male, (2) Female	ETHNIC: (1) White, (2) Black, (3) American Indian, (4) Mexican American, (5) Other Spanish heritage, (6) Asian-Oriental, (7) Other	PRESENT AGE (years/months)	SOURCE OF REFERRAL: (1) Law enforcement agency, (2) School, (3) Parents, (4) Social services, (5) Probation/parole, (6) Self-referral, (7) Other	WAS THE JUVENILE PLACED IN A SECURE FACILITY BEFORE YOU WERE CONTACTED? (1) Yes (2) No	DATE OF INTAKE ADMISSION: Hr.	Mo	Day	Yr.	MOST SERIOUS OFFENSE CHARGED WITH AT INTAKE (see attached offense code list)	CLASSIFICATION OF MOST SERIOUS OFFENSE CHARGED WITH AT INTAKE: (1) felony (2) misdemeanor (3) status (4) other	PARENTS OR GUARDIAN CONTACTED AT INTAKE: (1) Yes (2) No	PARENTS OR GUARDIAN PRESENT AT INTAKE: (1) Yes (2) No	PARENTS OR GUARDIAN WILLING AND ABLE TO PROVIDE SUPERVISION: (1) Yes (2) No	COUNSEL PRESENT AT INTAKE: (1) Yes (2) No	JUVENILE CURRENTLY ON RELEASE STATUS ON A PRIOR CRIMINAL-TYPE OFFENSE: (1) Yes (2) No	JUVENILE CURRENTLY ON PROBATION OR PAROLE STATUS ON A CRIMINAL-TYPE OFFENSE: (1) Yes (2) No	LEGAL STATUS AT INTAKE: JUVENILE CURRENTLY AN ESCAPEE FROM AN INSTITUTION OR OTHER PLACEMENT FACILITY FOR ADJUDICATION ON A CRIMINAL-TYPE OFFENSE: (1) Yes (2) No	JUVENILE CURRENTLY VERIFIED FUGITIVE FROM ANOTHER JURISDICTION WHICH HAS REQUESTED THAT THE JUVENILE BE PLACED IN DETENTION: (1) Yes (2) No	JUVENILE HAS VOLUNTARILY REQUESTED PROTECTIVE CUSTODY IN WRITING AND IS IN IMMEDIATE DANGER OF SERIOUS BODILY HARM IF RELEASED: (1) Yes (2) No	LEGAL HISTORY AT INTAKE: NUMBER OF TIMES THE JUVENILE HAS BEEN ADJUDICATED FOR OFFENSES TO THE PERSON DURING THE PAST 12 MONTHS	NUMBER OF TIMES THE JUVENILE HAS BEEN ADJUDICATED FOR SERIOUS PROPERTY OFFENSES DURING THE PAST 12 MONTHS	NUMBER OF TIMES THE JUVENILE HAS WILLFULLY FAILED TO APPEAR FOR JUVENILE PROCEEDINGS DURING THE PAST 12 MONTHS	ACTUAL INTAKE DISPOSITION (see reverse side)	IDEAL INTAKE DISPOSITION (see reverse side)
1																														
2																														
3																														
4																														
5																														
6																														
7																														
8																														
9																														
10																														
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	1-8		9-10	11-13	14	15	16-19	20	21	22-23	24-25	26-27	28-29	30-31	32	33	34	35	36	37	38	39	40	41	42-43	44-45	46-47	48-49	50-51 BLANK 52-80

COMMUNITY RESEARCH FORUM
University of Illinois at Champaign-Urbana

SECURE CUSTODY SURVEY

(for use in secure juvenile detention, jail, or police lockup)

COMPLETE THIS FORM FOR EVERY JUVENILE ADMITTED TO THIS FACILITY DURING THE SURVEY PERIOD.

BLANK (1-4)

1. **Name of Facility:** _____ *(5-7)*
   (please print)

2. **Location of Facility:** _____ *(8-11)*
   (city, county)

3. **Identifying Initials of the Juvenile:** _____ / _____ / _____ *(12-14)*
   first / middle / last

4. **County of Court Jurisdiction Over Juvenile:** _____ *(15-17)*
   (county)

5. **Sex:** *(circle one)* (1) Male (2) Female *(18)*

6. **Ethnic:** *(circle one)* (1) White (2) Black (3) American Indian (4) Mexican American (5) Other Spanish heritage (6) Asian-Oriental (7) Other *(19)*

7. **Age:** *(years/months)* _____ / _____ *(20-23)*
   years / months

8. **Single Most Serious Offense Charged Against Juvenile:** _____ *(24-25)*
   (see attached offense code list)

9. **Classification of Most Serious Offense Charged Against Juvenile:**
   (circle one) (1) Felony (2) Misdemeanor (3) Status (4) Other *(26)*

10. **Hour and Date of Admission to this Facility:** *(hour, month, day, year)*
    _____ / _____ / _____ / _____ *(27-34)*
    hour / month / day / year

11. **Primary Reason for Detention at Time of Admission:** *(circle one)* *(35-36)*

Awaiting contact with juvenile court	01
Awaiting parents or guardian to take custody	02
Awaiting transfer to a secure facility or program before the preliminary hearing	03
Awaiting transfer to a nonsecure facility or program before the preliminary hearing	04
Awaiting court hearing(s), i.e., preliminary and/or adjudication hearings	05
To receive a requested diagnostic assessment per 15 (d) Juvenile Code and/or a pre-disposition investigation	06
Serving a court ordered sentence	07
Awaiting transfer to a post disposition secure facility or program	08
Awaiting transfer to a post disposition nonsecure facility or program	09
Other (please specify)	10

12. **Hour and Date of FINAL DISCHARGE:** *(hour, month, day, year)*
    _____ / _____ / _____ / _____ *(37-44)*
    hour / month / day / year

13. **At Time of Discharge, is the Juvenile Being Released to a Secure or Nonsecure Setting?** *(circle one)*
    (1) Secure Setting (2) Nonsecure Setting *(45)*

    Please specify type of setting _____

(46-80) BLANK

COMMUNITY RESEARCH FORUM
University of Illinois at Champaign-Urbana

TECHNICAL ASSISTANCE

The Office of Juvenile Justice and Delinquency Prevention has developed a substantial technical assistance program to assist state agencies and local programs in combating the problems associated with delinquency more effectively. The OJJDP technical assistance strategy is based on the idea that dealing with juvenile crime and addressing inadequacies in the juvenile justice system will require well-timed technical help in addition to initial funding allocations. Technical assistance is geared to transferring knowledge and skills to recipients, which will not only help them solve their own problems in a cost saving manner, but will also enable them to serve as a resource both to their communities and to other projects with similar objectives. The federal role, while critical at the outset, can then be diminished as states and local governments gain self-sufficiency. The dual objective of the technical assistance program is to resolve a specific problem, and, at the same time, increase the long-term capability of the recipient to solve its own problem.

Priorities for the technical assistance program include the support of the OJJDP's Formula Grants Program, Special Emphasis Program, Concentration of Federal Effort, and Standards Program. Each of these priorities is defined for the OJJDP in its authorizing legislation, the Juvenile Justice and Delinquency Prevention Act of 1974.

The Formula Grants are awarded to state governments and are intended to promote the development of a comprehensive and coordinated juvenile justice and delinquency prevention system. Three particular provisions of the Formula Grants Program require states to:

-- remove status offenders and nonoffenders, such as dependent and neglected children and youth from institutions (deinstitutionalization);
-- provide that delinquent youths be separated from incarcerated adults; and
-- develop a monitoring system to insure that the above two provisions are met.

While states are particularly concerned with meeting these provisions, the technical assistance response in support of the Formula Grants Program must also be able to address the myriad needs that legitimately surface in trying to meet the requirements of the legislation. These include numerous other kinds of juvenile justice and youth system improvements, such as establishing delinquency prevention efforts, shoring up existing juvenile courts and corrections facilities, and improving the quality of juvenile care and treatment.

Under a grant from the OJJDP, the Community Research Forum of the University of Illinois at Urbana-Champaign currently provides technical assistance to state and local agencies concerning the issues of inappropriate confinement, including the removal of juveniles from adult jails and lockups. A multi-disciplinary team of behavioral scientists, lawyers, and architects has been developed to provide assistance in the planning and implementation of alternatives to juvenile jailing.

Research projects are currently underway and directed toward the barriers which exist at the state and local level to accomplish this goal. To support these research efforts and respond to information requests from the field, particular attention has been given to the development of an information resource center on the general subject of deinstitutionalization.

The Community Research Forum is currently providing technical assistance to public and private agencies in 29 states. The methodology utilized in these projects focuses on a six-step planning process designed to (1) elicit broad citizen participation in the planning, implementation, and monitoring aspects of deinstitutionalization, (2) provide a sound data base by which to assess existing juvenile justice practices, and (3) develop a flexible network of alternative programs and services to meet the individual needs of each youth.

A major area of project emphasis concerns the implementation of a public education strategy to enhance community and official awareness of the problem of juveniles in adult jails and lockups. This includes public education materials, media awareness, and workshop training sessions for those persons who will manage or influence services for youth awaiting court appearance.

Technical assistance is also available in several other areas specifically directed to implementation of the Act. All requests for technical assistance or information on State Advisory Groups and youth advocacy activities should be addressed to the appropriate state planning agency or directly to the Office of Juvenile Justice and Delinquency Prevention, 633 Indiana Avenue NW, Washington, DC 20531.

Alabama Law Enforcement Planning Agency
2863 Fairlane Drive, Executive Park
Building F, Suite 49
Montgomery AL 36111

Office of Criminal Justice Planning
Pouch AJ
Juneau AK 99801

Criminal Justice Planning Agency
Government of American Samoa
PO Box 7
Pago Pago, American Samoa 96799

Arizona State Justice Planning Agency
Continental Plaza Building
5119 North 19th Avenue
Phoenix AZ 85015

Governor's Commission on Crime and Law Enforcement
1515 Building
Suite 700
Little Rock AR 72202

Office of Criminal Justice Palnning
7171 Bowling Drive
Sacramento CA 95823

Division of Criminal Justice
Department of Local Affairs
1313 Sherman, Room 419
Denver CO 80203

Planning Committee on Criminal Administration
75 Elm Street
Hartford CT 06115

Governor's Commission on Criminal Justice
1228 Scott Street
Wilmington DE 19803

Office of Criminal Justice Plans and Analysis
Munsey Building, Suite 200
1329 E Street NW
Washington DC 20004

Bureau of Criminal Justice Planning and Assistance
530 Carlton Building
Tallahassee FL 32304

State Crime Commission
Suite 625
3400 Peachtree Road
Atlanta GA 30326

Territorial Crime Commission
Office of the Governor
Agana, Guam 96910

State Law Enforcement and Juvenile Delinquency
Planning Agency
Kamamalu Building, Room 412
1010 Richards Street
Honolulu HI 96813

Law Enforcement Planning Commission
700 West State Street
Boise ID 83720

Illinois Law Enforcement Commission
120 South Riverside Plaza
Chicago IL 60606

Indiana Criminal Justice Planning Agency
215 North Senate
Indianapolis IN 46202

Iowa Crime Commission
Lucas Office Building, First Floor
Des Moines IA 50319

Governor's Committee on Criminal Administration
503 Kansas Avenue, Second Floor
Topeka KS 66603

Executive Office of Staff Services
Department of Justice
209 St. Clari Street, Third Floor
Frankfort KY 40601

Louisiana Commission on Law Enforcement
and Administration of Criminal Justice
1885 Wooddale Boulevard, Room 615
Baton Rouge LA 70806

Maine Law Enforcement Planning and Assistance Agency
11 Parkwood Drive
Augusta ME 04330

Governor's Commission on Law Enforcement
and Administration of Justice
1 Investment Place
Towson MD 21204

Committee on Criminal Justice
110 Tremont Street, Sourth Floor
Boston MA 02108

Office of Criminal Justice Programs
Lewis Cass Building, Second Floor
Lansing MI 48913

Crime Control Planning
444 Lafayette Road, Sixth Floor
St. Paul MN 55101

Mississippi Criminal Justice Planning Division
Office of the Governor
723 North President, Suite 400
Jackson MS 39202

Missouri Council on Criminal Justice
PO Box 1041
621 East Capital
Jefferson City MO 65101

Board of Crime Control
1336 Helena Avenue
Helena MT 59601

Nebraska Commission on Law Enforcement and
Criminal Justice
State Capitol Building
Lincoln NB 68509

Commission on Crime, Delinquency and Corrections
430 Jeanell, Capitol Complex
Carson City NV 89710

Governor's Commission on Crime and Delinquency
169 Manchester Street
Concord NH 03301

Law Enforcement Planning Agency
3535 Quaker Bridge Road
Trenton NJ 08625

Governor's Council on Criminal Justice Planning
425 Old Santa Fe Trail, Lamy Building
Santa Fe NM 87501

Division of Criminal Justice Services
270 Broadway, Eighth Floor
New York NY 10007

North Carolina Department of Natural and
Economic Resources
Law and Order Division
PO Box 27687
Raleigh NC 27611

North Dakota Combined Law Enforcement Council
Box B
Bismarck ND 58501

Administration of Justice Division
30 East Broad Street, 26th Floor
Columbus OH 43215

Oklahoma Crime Commission
3033 North Walnut
Oklahoma City OK 73105

Law Enforcement Council
2001 Front Street NE
Salem OR 97310

Governor's Justice Commission
Department of Justice
PO Box 1167, Federal Square Station
Harrisburg PA 17108

Puerto Rico Crime Commission
GPO Box 1256
San Juan PR 00936

Governor's Committee on Crime, Delinquency
and Criminal Administration
197 Taunton Avenue
East Providence RI 02914

Office of Criminal Justice Programs
Edgar Brown State Office Building
1205 Pendleton Street
Columbia SC 29201

South Dakota State Criminal Justice Commission
200 West Pleasant Drive
Pierre SD 57501

Tennessee Law Enforcement Planning Agency
Browning-Scott Building, First Floor
4950 Linbar Drive
Nashville TN 37211

Criminal Justice Council, Executive Department
411 West 13th Street
Austin TX 78701

Law Enforcement Planning Agency
State Office Building, Room 304
255 South Third, East
Salt Lake City UT 84111

Vermont Commission on the Administration of Justice
149 State Street
Montpelier VT 05602

Division of Justice and Crime Prevention
8501 Mayland Drive
Richmond VA 23229

Virgin Island Law Enforcement Commission
Box 280, Charlotte Amalie
St. Thomas, Virgin Islands 00801

Law and Justice Planning Office
201 General Administration Building
AX-21 Mail Stop
Olympia WA 98504

Governor's Committee on Crime, Delinquency
and Correction
Morris Square, Suite 321
Charleston WV

Wisconsin Council on Criminal Justice
122 West Washington Avenue
Madison WI 53702

Governor's Planning Committee on Criminal Administration
Barrett Building, Fourth Floor
Cheyenne WY 82002

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Contact Commission on Accreditation for Corrections, 6110 Executive Blvd., Suite 750, Rockville MD 20852.

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